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English-mans Fundamentall
A P P E A L E.

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The Third Humble Petition and Addresse
of Captain WILLIAM BRAY.

Complaining sheweth,



Hat on or about the 18th of June last, your Petitioner did deliver, or cause to be delivered (to every Member then sitting) an application, wherein he did endeavour to address himself in rational and modest manner (as he humbly conceiveth, with submission to your great Judgment) to accomplish Justice, and Equity to himself, in these ensuing particulars :

FIRST,

To obtain Justice, and satisfaction for his Arrears, disbursements, damages and losses in your service, and intendedly (according to his understanding) for your lawful preservation from violence, by the fury and rage of War, and the dismal consequences thereof, publicly discovered, or promulged by your Declarations.

SECONDLY,

To procure (if it were possible) some moderate satisfaction and consideration, for his almost three years arbitrary, injurious and severe imprisonment ; which kind of Actions, and dealings with your long oppressed Petitioner, (in many particulars) were contrary to the *Fundamental, Essential, Righteous Ancient, and Common Liberties and Safeties*, as your Petitioner divers years ago, (in the time of his Bonds) did often evidence, and publicly, and particularly attest ; and can easily (to any rational and unbiafed understanding) make appear, and justify himself (as a Member of the body of the People,) not only by the amiable Fundamental Law of *England* (which is plain, and certain if there were no President in the Case) but also by the Case of the Lord *Kimbolton*, Sir *Arthur Haslerig*, &c. and by Mr. *Pim's* Speech to the Lord Mayor and Common-Council, in a Replicatory Answer to King *Charles* his Answer, and Declaration made to the Petition of the

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City of *London*, &c. in vindication of the said Lord Mayor, Aldermen, *Barre*, Colonel *Ven*, and Colonel *Manwaring*. Your Petitioner does now again, humbly revive his Claim of Justice, supposing after your long interruption, and great time and space given, (peradventure amongst the many wise Reasons in Gods Wisdom, to the end to cause a mature, sincere deliberation, and impartial consideration of former paths : as it was said in the case of King *Hezekiah*, *2 Chro.* 32. 31. *God left him to try him, to know all that was in his heart,*) There was no reason to judge it to be impossible, that you should sincerely, and effectually mind your many Solemn Obligations, Declarations, Vows, and Imprecations to Heaven, on the behalf of the said Fundamental, Essential, Impartial Liberties, and Common Birth-right of *England*, which are known by the Almighty and All-seeing Eye, and can hardly be blotted out humane memorials, as by your many Declarations, if relation (according to obligation to God, Nation, and Conscience) be had to them (with an unbiased understanding, and sincere affection to reduce things to action) will plainly and fully appear (as your Petitioner also humbly conceiveth.)

THIRDLY,

The third part of your Petitioners Address consisted in reminding, and reminding you of his illegal and Arbitrary ejection, his Truſt in the year 1648, and that if you should have done him that further impartial Justice to restore him to his said place of Truſt, he would study (according to his understanding) faithfulness to you therein.

For the first part of it, if your Petitioner should humbly argumentize to your great Wisdom, declared knowledge, publique invitations, and Instructions on the behalfe of the *Laws and Liberties*, and what the nature of an Obligation and promise is, and how much the same is valued, by such as have power or ability, and a good Conscience with it. he thinks (with submission) it would be as needful as to cast a drop of water into the Ocean, for thereby it will appear, that he should have had satisfaction for the same as a just debt, the obligation being of so Capitall and great a nature as *Publique Faith*, in which matter, if your Petitioner had obeyed just consideration, he might have avoyded many great inconveniences, and made some just benefit thereof for the just advantage and good of himself and relations, when he was arbitrarily excluded his publique Truſt, and so made incapable of doing his Country service in a publique way, and also if he had not been interrupted by his said imprisonment; And if your Petitioner could be (as he hopeth he cannot be) induced to lay aside (for his defence, and to justify his claim, and particular just concernments) those righteous *Fundamental Laws, Liberties and ancient Rights of the Nation*, upon which the Warr was chiefly declared to be grounded, (the conservation of which Libertyes and Rights, was so diligently looked into by our honourable Parliamentary Auncellers and fully established; (upon rationall grounds and Maxims:) against any possibility of Invasion, and by mutuall agreement from the Crowne of Monarchy,) yet Christ the head of all Christians (from whom the name hath been since either really derived to any, or unjustly and improperly assumed by any) doth give as a law of Talion and everlasting command (as I humbly conceive with submission to your great understanding) *That every man ought to do as he would be done unto*; not excluding any, or giving a Prerogative or Priviledge to any whomsoever upon any Politicall suggestion or pretence whatsoever to disanul that Law.

And how indubitably necessary it is that *Law* should be a supreme barr, against arbitrariness; and how consistent the Evangelicall Law is with the light of Nature, and with the just concernment of every mans just interest and defence, and how upon due impartial reasoning this may be applied, and by how much the more the Rule is obliging to the greatest Authorities or Powers in a more especial manner

manner, (as eminent examples to others) your Petitioner doth refer to your Conscience, and declared knowledge without using other arguments.

For the second part of it your Petitioner did (as he hopeth) in as modest Terms, as he could imagine or conceive (with laying aside flattery, which is hateful to the wisely just) desire consideration of his said almost three yeares Imprisonment, as if the case had been your own, and as if God should have permitted the late deceased call'd Protector, **NOT ONELY TO INTERRUPT YOU, BUT TO COMMIT YOU EVERY ONE AS YOU DID HIM**; which said Imprisonment hath tended in many considerations to his injury, great loss, many inconveniences, ruine, and destruction ever since; in so much that your Petitioner hath often (in affliction of mind, and peradventure with too great and deep a sense and consideration of things) desired dissolution, as that good Prophet *Elijah* (with whom your Petitioner cannot compare) requested for himself that he might dye, and said *it is enough now oh Lord, take away my life for I am not better then my Fathers*, for after the long defect of Justice, and humane consideration in a moderate nature (which was onely desired by your Petitioner?) your Petitioner can onely ascribe thanks to the great goodness of God for his preservation to this day, which he yet hopeth hath been in goodness, that he may after so long a time reap your Justice, that humane nature should not be neglected and trampled upon any longer. And for Argument to your declared exemplary understanding, your Petitioner (hoping it may receive a revived Impression) desires to mind you with your own Declarations in answer to the late King *Charles*, which will testify for him, and plead his cause, as will appear in the book of Collection of Declarations, Printed by Mr. *Edward Husbands* by order, and direction of the *24 March 1642 Page 694*; Wherein you expresse your selves in this manner, (*viz.*) *is hatever be our inclination, Slavery would be our condition, if we should go about to overthrow the Laws of the Land, and the Propriety of every mans Estate, and Liberty of his Person; for therein we must be aswell Patients as Agents; and must every one in his turn suffer our selves whatever we should impose upon others*: And in your Declaration of the *19th of May 1642, Page 202*, wherein you expresse these words, (*viz.*) *And as his Majesty doth graciously declare the Law shall be the measure of his Power, so do we heartily profess, that we shall alwaies make it the Rule of our Obedience*. And therefore, as Christ that perfect Pattern of natural Justice and supernatural Power and Mercy, *John 5. 30.* doth use these words, (*viz.*) *As I hear I judge, and my Judgment is just because I seek not mine own will, but the will of my Father which hath sent me*: So I humbly suppose I may say and apply, as I have heard or read in the righteous Foundations and Principles of the Law from our Ancestors, and also averred by your own Writings. As I hear, I Judge and believe there is a Rule of direction to me to beleive my judgment is just, because I seek not my own Will, grounded (as an Innovation) upon my own Judgment or private opinion, but founded upon your own Declarations which testify to the Case.

As for the third part of your Petitioners aforesaid Application, he doth humbly confess since he did see a great or generall endeavours and application for a restoration and reinvestiture to Government, and to accept of Trusts and places of profit, Power, and imployment, he could not think his said address to be any just cause of offence to you (as the case is,) but rather receiveable with chearfull intention to do Justice. But your Petitioner seeing and continually feeling (after *11* yeares sufferings and neglects, that his said Application of the *18th of June* was ineffectuall, he made another of the second of *July* following, and apprehending that his place of trust, and investiture might not be with your likeing, did not particularly mind that third part of his said address, being willing to endeavour patience of mind and subjection, rather then any such thing as any part or portion in **YOUR GOVERNMENT.**

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Therefore your Petitioner doth now againe (by all obligations humane and divine) request and desire of you to manifest a Presidentall or exemplary Justice, and good Conscience suitable to a great Counsell, as to the speedy consideration of his arreares, losses, damages and disbursements (intendedly for your lawfull preservation) and speedy and just satisfaction for his almost three years *arbitrary Imprisonment*, that so he might not be any longer neglected, destroyed and undone, contrary to the Rules of all just Law, Humanity and Conscience, and in case your said oppressed Petitioner shall obtaine Justice (in his affection and respect, he desires to beare to gratitude,) he shall pray that God would extend his Wisdome, and the power of his God-head to and for you and your posterity, if you or they shall have any occasion to desire or expect Justice and goodness from any future Government, Authority or Generations in the World.

WILLIAM BRAY.

29th, September. 1659.